

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT D. KLINE,	:	Civil No. 4:21-CV-407
	:	
Plaintiff	:	
	:	
v.	:	(Magistrate Judge Carlson)
	:	
MY DOCTORS LIVE, LLC, et al.,	:	
	:	
Defendants	:	

ORDER

The background of this order is as follows:

This is a case brought by the plaintiff under the Telephone Consumer Protection Act (TCPA), in which the plaintiff alleges that the defendants, through their agents, violated the TCPA by making illegal telemarketing calls to his phone, and for failing to provide a “Do-Not-Call Policy.” (Doc. 1). The defendants filed a motion to dismiss the complaint and requested oral argument on the motion. (Docs. 4, 8). We then held a telephonic oral argument on May 24, 2021, in which the plaintiff and counsel for the defendants participated. During the oral argument, the parties discussed the issue of agency liability under the TCPA, and the parties agreed to meet and confer regarding this issue of agency liability and the potential identification of the individual or entity that placed the call directly to the plaintiff.

It was further discussed that such an identification could result in a voluntary withdrawal of this case without prejudice by the plaintiff against these defendants.

AND NOW this 24th day of May 2021, in accordance with our instructions to the parties during the telephonic oral argument, IT IS HEREBY ORDERED THAT the plaintiff and counsel for the defendants shall meet and confer regarding the issue of agency liability outlined above, and shall report to the court **on or before June 8, 2021**, regarding any voluntary withdrawal of the instant case without prejudice by the plaintiff against these defendants.

s/ Martin C. Carlson

Martin C. Carlson
United States Magistrate Judge